APPENDIX— AFFIDAVIT OF PATRICIA E. WUZZARDO

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

C/A NO.: 3:03-3239-JFA

Martha Ward, on behalf of herself and all others similarly situated,

Plaintiff,

vs.

Dixie National Life Insurance Company and National Foundation Life Insurance Company,

Defendants.

AFFIDAVIT OF
PATRICIA E. WUZZARDO

PERSONALLY APPEARED BEFORE ME, PATRICIA E. WUZZARDO, who after being duly sworn, deposes and states that, to the best of my knowledge:

1) I am over the age of eighteen (18) years of age, and the matters contained herein are of my own personal knowledge, unless otherwise stated.

2) I work for The South Carolina Department of Insurance as an Insurance Regulatory Analyst; I have been in this position for 15 years and have been employed by the South Carolina Department of Insurance for 15 years.

3) On October 31, 2002, I responded in writing to a complaint filed by Ms. Martha Ward regarding a cancer policy. Ms. Ward's complaint and aforementioned response is attached as **Exhibit** 1.

4) I have no recollection of reviewing Dixie National Life Insurance Company's cancer policy (CP-1001A, CP-1001, CP-1003, CP-1004, or CP-1005) or any other cancer policy similar to Ms. Ward's cancer policy prior to or after responding to Ms. Ward's complaint.

5) At the time that I responded to Ms. Ward's complaint, I was unaware of Blue Cross/Blue Shield and Medicare's definitions of "actual charges". These definitions (taken from their respective websites) are attached as **Exhibit 2**.

6) The definition of Blue Cross/Blue Shield and Medicare is in conflict with the definition or interpretation set forth in my response to Ms. Ward dated October 31, 2002.

7) If I had been aware of the definition of "actual charges" as defined by Blue Cross/Blue Shield and Medicare, I would have consulted with counsel for the South Carolina Department of Insurance prior to submitting any response to Ms. Ward.

FURTHER AFFIANT SAYETH NOT.

s/ Patricia E. Wuzzardo
PATRICIA E. WUZZARDO